

Raymond Babaian, Esq.  
Nevada Bar No. 9959  
**WOOD, SMITH, HENNING & BERMAN LLP**  
7674 West Lake Mead Boulevard, Suite 150  
Las Vegas, Nevada 89128-6644

Attorneys for RICHMOND AMERICAN HOMES OF NEVADA, INC.

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DANIEL JAMES HARTMANN AND  
STACY RAE GARWOOD, individually  
and on behalf of others similarly  
situated; LISA AND BARBARA LAW,  
individually and on behalf of others  
similarly situated; JANA ANDERSON,  
individually and on behalf of others  
similarly situated; MICHAEL MAHANY  
AND RAINA MUSSER-MAHANY,  
individually and on behalf of others  
similarly situated; WENDY  
STOCKETT, individually and on behalf  
of other similarly situated, and  
CHRISTIAN LeCATES, individually  
and on behalf of others similarly  
situated,,

Plaintiffs,

v.

UPONOR, INC., an Illinois corporation;  
UPONOR CORPORATION, a Finnish  
corporation; UPONOR GROUP, a  
business of unknown form and origin;  
RCR PLUMBING AND MECHANICAL,  
INC., a California corporation;  
INTERSTATE PLUMBING &  
CONDITIONING, LLC, a Nevada  
limited liability company; UNITED  
PLUMBING, LLC, a Nevada limited  
liability company; FERGUSON  
ENTERPRISES, INC., a Virginia  
corporation; HUGHES WATER &  
SEWER, L.P., a Florida limited  
partnership and successor by merger

CASE NO. 2:08-CV-01223-RCJ-GWF

**RICHMOND AMERICAN HOMES OF  
NEVADA, INC.'S MOTION FOR  
CLARIFICATION AND OBJECTION  
TO CONSOLIDATION ORDER ON AN  
ORDER SHORTENING TIME**

CONSOLIDATED WITH:

Case Nos.; 2:11-cv-00425-LDG-CWH;  
2:11-cv-00783-JCM-CWH;  
2:11-cv-00812-RCJ-CWH;  
2:11-cv-00830-RCJ-CWH;  
2:11-cv-01498-RCJ-GWF;  
2:11-cv-01875-KJD-PAL;  
2:12-cv-00206-JCM-PAL;  
2:12-cv-00207-RCJ-CWH;  
2:12-cv-00002-RCJ-GWF

WOOD, SMITH, HENNING & BERMAN LLP  
Attorneys at Law  
7674 WEST LAKE MEAD BOULEVARD, SUITE 150  
LAS VEGAS, NEVADA 89128-6644  
TELEPHONE 702 251 4100 • FAX 702 251 5405

1 to STANDARD WHOLESALE SUPPLY  
 2 COMPANY, a dissolved Nevada  
 3 corporation; HD SUPPLY  
 4 CONSTRUCTION SUPPLY, LIMITED  
 5 PARTNERSHIP, a Florida limited  
 6 partnership; DOES 1-30, ROE  
 7 CORPORATIONS 1-XXX,

8 Defendants.

9 DEFENDANT RICHMOND AMERICAN HOMES OF NEVADA, INC.  
 10 ("RICHMOND"), by and through its counsel of record, hereby submits the following  
 11 Motion for Clarification and Objection to Consolidation Order on an Order  
 12 Shortening Time following this Honorable Court's January 11, 2013 hearing and  
 13 subsequent Order consolidating various pending actions into the instant matter.  
 14 This motion seeks clarification regarding the impact of this Court's previous Order  
 15 compelling arbitration in the *Seasons Homeowners Association, Inc. v. Richmond*  
 16 *American Homes of Nevada, Inc.*, No. 2:11-cv-1875 matter. Richmond further  
 17 seeks clarification regarding the Court's consolidation order and whether those  
 18 homeowners that have previously been compelled to arbitration should have been  
 19 consolidated into the instant action.

20 This Motion is further based on the pleadings and papers on file herein, and  
 21 any and all arguments of counsel at the hearing of this matter.

22 DATED: February 4, 2013

23 WOOD, SMITH, HENNING & BERMAN LLP

24 By 

25 RAYMOND BABAIAN  
 26 Attorneys for RICHMOND AMERICAN  
 27 HOMES OF NEVADA, INC.  
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